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**FMPC CONSENT AGREEMENT SCHEDULES AND
PRIMARY DOCUMENT SUBMITTALS**

03/20/91

**DOE-925-91
DOE-FMPC/EPA
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LETTER**



Department of Energy

FMPC Site Office
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MAR 20 1991
DOE-925-91

Ms. Catherine A. McCord
Remedial Project Manager
U. S. Environmental Protection Agency
Region V - 5HR-12
230 South Dearborn Street
Chicago, IL 60604

Mr. Graham E. Mitchell, DOE Coordinator
Ohio Environmental Protection Agency
40 South Main Street
Dayton, OH 45402

Dear Ms. McCord and Mr. Mitchell:

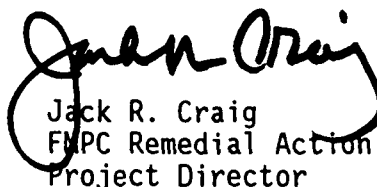
FMPC CONSENT AGREEMENT SCHEDULES AND PRIMARY DOCUMENT SUBMITTALS

Over the past few months the U. S. Department of Energy (DOE) and U. S. Environmental Protection Agency (U. S. EPA) have held various meetings and exchanged correspondence regarding the FMPC Remedial Investigation/Feasibility Study (RI/FS) document schedules and the requirements of the 1990 Consent Agreement. This letter is provided to document the status of the primary documents which are outlined in the Consent Agreement.

The enclosure lists each Operable Unit, the status of each primary document and the planned actions for addressing Consent Agreement milestones. The DOE previously notified you that the additional work necessary to meet the objectives of the Consent Agreement milestones would require renegotiation of the milestones. DOE intends to request extensions to milestones or, if appropriate, modifications to the Consent Agreement milestones. The Consent Agreement Monthly Report will also be updated each month to reflect the latest status of each Operable Unit.

If you have any questions, please contact me at FTS 774-6159 or (513) 738-6159.

Sincerely,


Jack R. Craig
FMPC Remedial Action
Project Director

Enclosure: As stated

AR File

cc w/encl.:

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R. P. Whitfield, EM-40, FORS
K. A. Hayes, EM-422, GTN
L. August, GeoTrans
G. G. Ioannides, OEPA-Columbus
K. Davidson, OEPA, Columbus
C. R. Holmes, USEPA-HQ
W. E. Muno, USEPA-V, 5HR-13
K. J. Pierard, USEPA-V, 5HR-12
D. A. Ullrich, USEPA-V, 5H-12
M. Butler, USEPA-V, 5CS-TUB-3
J. Benetti, USEPA-V, 5AR-26
E. Schuessler, PRC
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W. H. Britton, WMCO
S. W. Coyle, WMCO
H. F. Daugherty, WMCO
S. M. Peterman, WMCO
J. D. Wood, ASI

References

- 1) Letter, DOE-506-91, A. P. Avel to C. A. McCord and G. E. Mitchell, "Initial Screening of Alternatives for Operable Unit 1," dated January 4, 1991
- 2) Letter, DOE-699-91, J. R. Craig to C. A. McCord and G. E. Mitchell, "Additional Work Under the Consent Agreement - Operable Unit 1," dated February 4, 1991
- 3) Letter, C. A. McCord to J. R. Craig, "Operable Units 1 & 2 Additional Work U. S. DOE Fernald OH6 890 008 976," dated March 4, 1991
- 4) Letter, DOE-873-91, J. R. Craig to C. A. McCord and G. E. Mitchell, "Feasibility Study (FS) Report - Operable Units 1 and 2," dated March 7, 1991
- 5) Letter, V. V. Adamkus to J. La Grone, "5R-12," dated March 1, 1991
- 6) Letter, DOE-666-91, A. P. Avel to C. A. McCord, "Notification of Additional Work Under the Consent Agreement (CA) - Uranium Production Operations Area (UPOA) Restoration," dated January 29, 1991
- 7) Letter, C. A. McCord to G. W. Westerbeck, "Ou #3 Fernald, Ohio OH6 890 008," dated February 5, 1991
- 8) Letter, DOE-912-91, G. W. Westerbeck to W. E. Muno, "Elevation of Dispute Resolution - Additional Work - UPOA," dated March 8, 1991
- 9) Letter, C. A. McCord to A. P. Avel, "OU#4 Alt Screening Dispute U. S. DOE Fernald OH6 890 008," dated October 31, 1990
- 10) Letter, W. E. Muno to G. W. Westerbeck, "OU#4 RI Dispute U. S. DOE - Fernald OH6 890 008 976," dated February 22, 1991
- 11) Letter, DOE-401-91, A. P. Avel to C. A. McCord, "Operable Unit 4 - Feasibility Study (Fs) Report," dated December 13, 1990
- 12) Letter, DOE-551-91, A. P. Avel to C. A. McCord, "Operable Unit 4 - Proposed Plan," dated January 10, 1991
- 13) Letter, C. A. McCord to A. P. Avel, "OU#5 Initial Screening of Alternatives U. S. DOE Fernald OH6 890 008 976," dated November 26, 1990
- 14) Letter, DOE-875-91, J. R. Craig to C. A. McCord and G. E. Mitchell, "Additional Work Under the Consent Agreement - Operable Unit (OU) 5," dated March 13, 1991

FMPC RI/FS PRIMARY DOCUMENT STATUS

Operable Unit 1

- o **Initial Screening of Alternatives (ISA):** This document was revised based on agreements made during dispute resolution meetings and was submitted to U. S. EPA on January 4, 1991 (Reference 1). U. S. EPA approval of the document has not been received to-date.
- o **Remedial Investigation (RI) Report:** The Consent Agreement milestone for submittal of this document was February 18, 1991. U. S. EPA was notified, per the Consent Agreement, on February 4, 1991 (Reference 2), of additional work that would impact the RI Report and requested an extension of the submittal date. U. S. EPA did not agree that the work identified by DOE was additional work, as defined in the Consent Agreement (Reference 3). The milestone for submittal of this document will require renegotiation based on the additional work outlined in Reference 2.
- o **Feasibility Study (FS) Report:** The Consent Agreement milestone for submittal of this document is March 25, 1991. U. S. EPA was notified on March 7, 1991 (Reference 4), that this milestone needed to be renegotiated based on the additional work outlined in Reference 2.
- o **Proposed Plan:** The Consent Agreement milestone for submittal of this document is May 16, 1991. This milestone will require renegotiation based on the additional work outlined in Reference 2.
- o **Draft ROD:** The Consent Agreement milestone for submittal of this document is December 18, 1991. This milestone will require renegotiation based on the additional work outlined in Reference 2.

Operable Unit 2

- o **Initial Screening of Alternatives (ISA):** This document was disapproved by U. S. EPA on February 15, 1991, and is currently in informal dispute. An informal dispute resolution meeting was held in Chicago on March 12, 1991. Risk Assessment methodology is the only open issue which requires resolution.
- o **Remedial Investigation (RI) Report:** The Consent Agreement milestone for submittal of this document was February 11, 1991. U. S. EPA was notified, per the Consent Agreement, on February 4, 1991 (Reference 2), of additional work that would impact the RI Report and requested an extension of the submittal date. U. S. EPA did not agree that the work identified by DOE was additional work, as defined in the Consent Agreement (Reference 3). The milestone for submittal of this document will require renegotiation based on the additional work outlined in Reference 2.
- o **Feasibility Study (FS) Report:** The Consent Agreement milestone for submittal of this document is March 25, 1991. U. S. EPA was notified on March 7, 1991 (Reference 4), that this milestone needed to be renegotiated based on the additional work as outlined in Reference 2.
- o **Proposed Plan:** The Consent Agreement milestone for submittal of this document is May 15, 1991. This milestone will require renegotiation based on the additional work outlined in Reference 2.
- o **Draft ROD:** The Consent Agreement milestone for submittal of this document is December 18, 1991. This milestone will require renegotiation based on the additional work outlined in Reference 2.

Operable Unit 3

- o **Initial Screening of Alternatives (ISA):** The submittal milestone for this document will be determined through a revised RI/FS document schedule to be submitted by DOE, based on agreements made in the dispute resolution process and as documented in Reference 5.
- o **Remedial Investigation (RI) Report:** The Consent Agreement milestone for submittal of this document is April 8, 1991. U. S. EPA was notified on January 29, 1991 (Reference 6), of additional work that would impact the RI Report submittal date. U. S. EPA did not agree that the work identified by DOE was additional work as defined in the Consent Agreement (Reference 7). Based on the disagreement over the additional work DOE invoked the dispute resolution procedures as outlined in the Consent Agreement (Reference 8). The dispute is currently at the Dispute Resolution Committee (DRC) level. The milestone for submittal of this document will require renegotiation based on the additional work outlined in Reference 6.
- o **Feasibility Study (FS) Report:** The Consent Agreement milestone for submittal of this document is May 15, 1991. This milestone will require renegotiation based on the additional work outlined in Reference 6.
- o **Proposed Plan:** The Consent Agreement milestone for submittal of this document is July 31, 1991. This milestone will require renegotiation due to the additional work outlined in Reference 6.
- o **Draft ROD:** The Consent Agreement milestone for submittal of this document is March 10, 1991. This milestone will require renegotiation based on the additional work outlined in Reference 6.

Operable Unit 4

- o **Initial Screening of Alternatives (ISA):** This document was approved by U. S. EPA on October 31, 1990 (Reference 9). The approval letter stated that the Applicable or Relevant and Appropriate Requirements (ARARs) list, which was included in the ISA as an appendix, was not approved.
- o **Remedial Investigation (RI) Report:** Based on agreements made in the dispute resolution process and documented in Reference 10, the date for submittal of this document will be determined by a revised OU#4 RI/FS document schedule to be prepared by DOE and approved by U. S. EPA.
- o **Feasibility Study (FS) Report:** The Consent Agreement milestone for submittal of this document was December 17, 1990. DOE notified U. S. EPA on December 13, 1990 (Reference 11), that the FS Report would not be submitted due to the RI Report disapproval. Based on agreements made in Reference 10, the FS Report will be submitted in accordance with the OU #4 revised RI/FS document schedule to be prepared by DOE and approved by U. S. EPA.
- o **Proposed Plan:** The Consent Agreement milestone for submittal of this document was January 16, 1991. DOE notified U. S. EPA on January 10, 1991 (Reference 12), that the Proposed Plan would not be submitted due to the RI Report disapproval. Based on agreements made in Reference 10, the Proposed Plan will be submitted in accordance with the OU#4 revised RI/FS schedule to be prepared by DOE and approved by U. S. EPA.
- o **Draft ROD:** The Consent Agreement milestone for submittal of this document is August 16, 1991. Based on agreements made in Reference 10, the draft ROD will be submitted in accordance with the revised OU#4 RI/FS schedule to be approved by U. S. EPA.

Operable Unit 5

- o **Initial Screening of Alternatives (ISA):** This document was approved by U. S. EPA on November 26, 1990 (Reference 13).
- o **Remedial Investigation (RI) Report:** The Consent Agreement milestone for submittal of this document is April 8, 1991. U. S. EPA was notified on March 13, 1991 (Reference 14) of additional work that would impact the RI Report and requested an extension of the submittal date. The milestone for submittal of this report will require renegotiation based on the additional work outlined in Reference 14.
- o **Feasibility Study (FS) Report:** The Consent Agreement milestone for submittal of this document is May 15, 1991. This milestone will require renegotiation based on the additional work outlined in Reference 14.
- o **Proposed Plan:** The Consent Agreement milestone for submittal of this document is August 2, 1991. This milestone will require renegotiation based on the additional work outlined in Reference 14.
- o **Draft ROD:** The Consent Agreement milestone for submittal of this document is March 12, 1991. This milestone will require renegotiation based on the additional work outlined in Reference 14.